

REMARKS

Applicant, in response to the Office Action has amended independent claim 1 and dependent claim 6 to clarify the claimed invention and distinguish same from the one cited document setting forth that the pressure points of the present invention are non-compressible. It is expressly taught and required in the citation that the pads of the citation are compressible. It is for this reason that the Office Action is incorrect in stating that the compressible pads on the outer surface of the pressure points allow them to take on a curved shape when pressed against a curved surface of the user's face.

It is the "non-compressible" nature of the pressure points of the present invention which allow them to provide acupressure on the corresponding points of a face. The pads of the cited reference cannot achieve this as acupressure is pressure at a precise discrete area not broad pressure over an area. Even when passive, the compressible nature of the pads of the cited reference would not apply acupressure on the face of a wearer, as they compress and do not hold their shape.

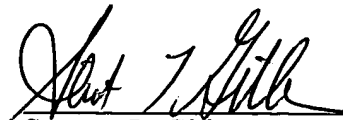
Further, the pads of the citation do not have a "hemispherical or curved outer surface to contact the face when the mask is in position". This express limitation in combination with the additional limitations in claim 1 make it clear that the pressure points of the present invention have a non-compressible, hemispherical or curved outer surface at all times. This allows concentration of the acupressure force on the particular points of the wearer's face while at the same time reducing point application of the force which may irritate the wearer.

In view of the clarification to the claims as fully supported by the specification, Le Vine does not anticipate the claims as presently on file. Reconsideration of the refusal to approve the claims, 1-10, which are no longer anticipated under 35 USC §102 is respectfully requested. If any questions remain concerning this application or the language in the claims, please do not hesitate to contact the undersigned at once.

Respectfully submitted,

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Date



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